

SEP 10 2015

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

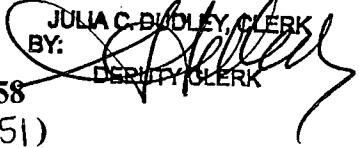
UNITED STATES OF AMERICA,

v.

BRIAN S. GRIMMOND,

Defendant.

) CASE NO. 3:93CR70058
) (CASE NO. 3:15CV80851)
)
) FINAL ORDER
)
) By: Hon. Glen E. Conrad
) Chief United States District Judge

JULIA C. BIDDLEY, CLERK
BY: 
DEPUTY CLERK

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that defendant's motion (ECF No. 105), seeking sentencing relief under Johnson v. United States, U.S., 135 S. Ct. 2551 (June 26, 2015), is hereby **CONSTRUED** as a motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, and the clerk is **DIRECTED** to docket it as such; this § 2255 motion is hereby **DISMISSED** as successive under § 2255(h) and is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 10 day of September, 2015.



Chief United States District Judge